

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOEL CIAPPETTA,

Plaintiff,

-against-

BARRY SNYDER, PGD IV LLC and PGT
TRUCKING, INC.,

Defendants.

For Online Publication Only

ORDER

15-CV-4427 (JMA) (ARL)

AZRACK, United States District Judge:

On December 19, 2019, Magistrate Judge Arlene R. Lindsay issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s two motions to compel a trial date be denied with leave to refile. To date, Plaintiff has not filed any objections and the deadline for filing any such objections has passed. Having conducted a review of the full record and the applicable law, I adopt Judge Lindsay’s R&R as the opinion of the Court.

In reviewing a magistrate judge’s report and recommendation, the court must “make a de novo determination of those portions of the report or . . . recommendations to which objection[s][are] made.” 28 U.S.C. § 636(b)(1)(C); see also Brown v. Ebert, No. 05–CV–5579, 2006 WL 3851152, at *2 (S.D.N.Y. Dec. 29, 2006). The court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Those portions of a report and recommendation to which there is no specific reasoned objection are reviewed for clear error. See Pall Corp. v. Entegris, Inc., 249 F.R.D. 48, 51 (E.D.N.Y. 2008).

Having reviewed the R&R for clear error, and finding none, the Court adopts Judge Lindsay’s R&R and denies Plaintiff’s two motions to compel a trial date, with leave to refile.

The Clerk of Court is directed to mail a copy of this order to the *pro se* plaintiff.

SO ORDERED.

Dated: January 8, 2020
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE